

Message Text

UNCLASSIFIED

PAGE 01 LONDON 05468 071647Z
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 JUSE-00 CA-01 PPTE-00 /017 W
-----041887 071650Z /14

P 071631Z APR 78
FM AMEMBASSY LONDON
TO SECSTATE WASHDC PRIORITY 4913

UNCLAS LONDON 05468

E.O. 11652: N/A
TAGS: PDIP, UK (ROCOS, SPYRIDON)
SUBJ: EXTRADITION: SPYRIDON ROCOS

REF: STATE 088910

1. UPON RECEIPT REFTEL EMBOFF AGAIN DISCUSSED CASE AT
LENGTH WITH ATTORNEY GLENNISTER OF DPP OFFICE.

2. AS EMBOFF UNDERSTANDS IT QUESTION OF ACCEPTABLE
EVIDENCE IS RELATED TO ESTABLISHING THAT ROCOS' ACTION
INVOLVED OBTAINING MONEY BY FALSE PRETENCES (AN EXTRA-
DICTABLE OFFENSE, NO. 17 ON TREATY SCHEDULE) AND NOT
SIMPLY MAKING A FALSE APPLICATION WHICH WOULD BE
CONSIDERED ONLY ATTEMPT (NOT AN EXTRADICTABLE OFFENSE).
THE AFFIDAVIT OF PROSECUTOR KAY WHICH PURPORTS TO
ESTABLISH THAT ROCOS ACTUALLY OBTAINED 16,500 DOLLARS
IS CONSIDERED HERESAY AND THEREFORE NOT ACCEPTABLE IN
BRITISH COURT. GLENNISTER SAYS THAT FACTS SET OUT IN
PARA 3 OF AFFIDAVIT WOULD ESTABLISH THAT ROCOS OBTAINED
MONEY IF PRESENTED IN MANNER ACCEPTABLE TO
COURT SUCH AS CERTIFIED COPIES OF LOAN APPLICATION,
CHECK ISSUED BY BANK TO ROCOS, EVIDENCE OF DEPOSIT TO
ROCOS ACCOUNT, AND CHECK DRAWN BY ROCOS AGAINST ACCOUNT,
ALL SUITABLY IDENTIFIED BY AFFIDAVIT OF BANK MANAGER.
AGAIN THIS EVIDENCE NEEDED NOT TO ESTABLISH CASE AGAINST
AGAINST ROCOS BUT TO ESTABLISH THAT HIS ACTIONS
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CONSTITUTE AN EXTRADICTABLE OFFENSE.

3. GLENNISTER IS SENDING WRITTEN ELABORATION ON ABOVE
WHICH EMBASSY SHOULD RECEIVE MONDAY AND WHICH WE WILL
TRANSMIT TELEGRAPHICALLY. IF JUSTICE OR AUSA WISH TO
DISCUSS MATTER DIRECTLY WITH DPP, THEY SHOULD CONTACT
P. PEARSON, LONDON TELEPHONE 213-3000 EXT. 4094 AS

GLENNISTER WILL BE ABSENT ON LEAVE NEXT WEEK.

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NNN

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